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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

8 UNITED STATES OF AMERICA,

CASE NO. CR98-268-MJP

9
10 Plaintiff,

11 v.

PROPOSED FINDINGS OF
FACT AND DETERMINATION
AS TO ALLEGED VIOLATIONS
OF SUPERVISED RELEASE

12 DANTE LORENZO NELSON,

13 Defendant.
14

15 INTRODUCTION

16 I conducted a hearing on alleged violations of supervised release in this case on March
17 10, 2006. The United States was represented by Matthew Thomas. The defendant was
18 represented by Michele Shaw. The proceedings were recorded on disk.
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20 CONVICTION AND SENTENCE

21 Defendant had been convicted of Conspiracy to Commit Bank Fraud on or about
22 September 9, 2006. The Hon. Marsha J. Pechman of this court sentenced Defendant to
23 thirty-seven (37) months custody, followed by five (5) years of supervised release.

24 The conditions of supervised release included requirements that defendant comply
25 with the standard 13 conditions.

26 DEFENDANT'S ADMISSION

27 USPO Todd Sanders, present for Jonathan Ishii alleged that Defendant violated the
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1 conditions of supervised release in three respects:

- 2 (1) Possessing cocaine on or about January 26, 2006, in violation of the standard
3 condition not to illegally possess a controlled substance;
4 (2) Committing assault on or about January 26, 2006, in violation of the standard
5 condition to not commit another federal, state or local crime;
6 (3) Failing to notify the probation officer within 72 hours of being arrested or
7 questioned by a law enforcement officer.

8 At an initial hearing, I advised the defendant of these charges and of his constitutional
9 rights. At today's hearing Defendant admitted the violations number one and three,
10 waived any hearing as to whether it occurred, and the Government has agreed to dismiss
11 violation number two, consented to having the matter set for a disposition hearing before
12 the Hon. Marsha J. Pechman.

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14 RECOMMENDED FINDINGS AND CONCLUSIONS

15 Based upon the foregoing, I recommend the court find that Defendant has violated the
16 conditions of his supervised release as alleged and set the matter for a disposition hearing.

17 Defendant has been released with supervision by electronic monitoring pending a
18 final determination by the court.

19 DATED this 14th day of March, 2006.

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21 MONICA J. BENTON
22 United States Magistrate Judge
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24

25 cc: Sentencing Judge : Hon. Marsha J. Pechman
26 Assistant U.S. Attorney : Matthew Thomas
27 Defense Attorney : Michele Shaw
28 U. S. Probation Officer : Jonathan Ishii